

By Senator Dibrell:

Resolved, That the room heretofore occupied by the Assistant Sergeant-at-Arms, being No. 9, be, and the same is hereby, set aside for him, to be used as sleeping apartment and otherwise during the session of the Legislature.

Resolution read, and

On motion of Senator Dibrell, seconded by Senator Goss, adopted.

On motion of Senator Turney, the Senate adjourned until 10 a. m. tomorrow.

SIXTH DAY.

Senate Chamber,

Austin, Tex., Tuesday, Jan. 19.

Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Boren.	Presler.
Bowser.	Rogers.
Colquitt.	Ross.
Darwin.	Stafford.
Dibrell.	Stone.
Goss.	Terrell.
Gough.	Tillett.
Harrison.	Turney.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Wharton.	Yantis.
Morriss.	Yett.
Neal.	

Absent.

Atlee.	Beall.
Bailey.	

Excused.

Burns.	Linn of Victoria.
Greer.	

Prayer by the Chaplain, Rev. F. S. Jackson.

Pending the reading of the Journal of yesterday,

On motion of senator Darwin, the same was dispensed with.

COMMITTEE REPORTS.

Committee Room,

Austin, Jan. 18, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 44, being "An act appropriating \$110,000 to pay members' mileage and per diem and officers' and employes' per diem of the Twenty-fifth Legislature,"

And find the same correctly enrolled, and have this day, at 5:50 p. m., presented the same to the Governor for his approval.

ROGERS, Chairman.

BILLS AND RESOLUTIONS.

By Senator Dibrell:

Joint resolution No. 4, amending sections 4, 22 and 23 of article 4, and sections 9, 15, 18, 20, 21 and 23 of article 5, and sections 14 and 16 of article 8, sections 30 and 44 of article 16, of the Constitution of the State of Texas.

Read first time and referred to Committee on Constitutional Amendments.

By Senator Turney:

Senate concurrent resolution No. 3, relating to forfeitures of sales of public lands heretofore made.

Read first time and referred to Committee on Public Lands.

By Senator Stafford:

Senate bill No. 43, a bill to be entitled "An act to amend article 672, title 8, chapter 3, of the Code of Criminal Procedure of the Revised Statutes of the State of Texas of 1895."

Read first time and referred to Judiciary Committee No. 2.

By Senator Stafford:

Senate bill No. 44, a bill to be entitled "An act to amend article 881, title 17, chapter 11, of the Penal Code of the State of Texas of 1895."

Read first time and referred to Judiciary Committee No. 2.

By Senator Yantis:

Senate bill No. 45, a bill to be entitled "An act to amend title 8 of the Revised Statutes of the State of Texas, by adding after article 86 of said title, articles 86a, 86b, 86c, 86d and 86e for the purpose of securing to creditors a pro rata distribution of the property, estate and assets of the insolvent debtors, and to prevent insolvent debtors from making preferences among creditors by assignment, deeds of trust, mortgages, deeds, sale, pledge, or by any other form or transfer or conveyance, or by confession of judgment, or by judgment by default."

Read first time and referred to Judiciary Committee No. 1.

By Senator Rogers (by request):

Senate bill No. 46, a bill to be entitled "An act to amend article 4900 of the Revised Statutes, concerning sheriffs."

Read first time and referred to Judiciary Committee No. 1.

By Senator Rogers (by request):

Senate bill No. 47, a bill to be entitled "An act to amend article 1129 of

the Revised Statutes of the State of Texas."

Read first time and referred to Judiciary Committee No. 1.

By Senator Presler (by request):

Senate bill No. 48, a bill to be entitled "An act to provide for the survey of lands to be set apart as a permanent endowment fund for a branch university for colored people of this State."

Read first time and referred to Committee on Education.

By Senator Woods:

Senate bill No. 49, a bill to be entitled "An act to amend title 3, chapter 1, of the Criminal Code of the State of Texas, by adding articles 79, 80, 81, 82, 83, 84, 85, 86 and 87, and repealing chapters 2, 3 and 4 of said title, to make accomplices and accessories principal offenders."

Read first time and referred to Judiciary Committee No. 2.

By Senator Woods:

Senate bill No. 50, a bill to be entitled "An act to amend article 878, title 17, chapter 9, of the Penal Code of the State of Texas."

Read first time and referred to Judiciary Committee No. 2.

By Senator Bailey:

Senate bill No. 51, a bill to be entitled "An act amendatory of article 4268, chapter 2, title 89, of the Revised Statutes, as adopted by the Twenty-fourth Legislature, A. D. 1895, to provide for the permanent endowment in land or its proceeds of the University of Texas and its branches, including the branch for the instruction of colored youths, and also to provide for an equal endowment for the benefit of the permanent common free schools of this State."

Read first time and referred to Committee on Education.

By Senator Colquitt (by request):

Senate bill No. 52, a bill to be entitled "An act to require every express company to keep a general office in this State, and to furnish such information in relation to its property, indebtedness and business as may be required by the Railroad Commission of Texas."

Read first time and referred to Committee on Internal Improvements.

(Senator Lewis in the chair.)

On motion of Senator Pressler, the joint committee on part of the Senate (appointed to count vote and prepare for the inauguration of the Governor and Lieutenant Governor) was excused while on duty.

Call concluded.

Senator Bowser stated to the Chair that on yesterday he offered to spread upon the Journal a motion to reconsider the vote by which the resolution offered by Senator Harrison, providing for the purchase of a postoffice for the Senate, and that said motion was declared out of order because of the doubt as to whether his vote on said resolution was in the affirmative or negative, and since the Journal showed him voting in the affirmative, he therefore renewed his motion to reconsider.

Senator Gough moved that the Journal be corrected to show that the Senator (Bowser) voted in the negative.

Lost.

Senator Bowser then entered a motion to reconsider the vote by which the resolution (Harrison's) was adopted, and called same up for consideration.

Reconsidered by the following vote:

Yeas—19.

Bailey.	Presler.
Boren.	Rogers.
Bowser.	Stafford.
Colquitt.	Stone.
Darwin.	Terrell.
Goss.	Wayland.
Gough.	Woods.
Lewis.	Yantis.
Morriss.	Yett.
Neal.	

Nays—5.

Dibrell.	Linn of Wharton.
Harrison.	Tillett.
Kerr.	

Absent.

Atlee.	Beall.
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Excused.

Burns.	Ross.
Greer.	Turney.
Linn of Victoria.	

Action then recurring on the resolution,

Senator Stafford offered to amend by adding "made by Texas workmen and from Texas material."

Adopted by the following vote:

Yeas—22.

Bailey.	Neal.
Boren.	Presler.
Bowser.	Rogers.
Darwin.	Stafford.
Dibrell.	Stone.
Goss.	Terrell.
Harrison.	Tillett.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Wharton.	Yantis.
Morriss.	Yett.

	Nays—2.
Colquitt.	Gough.
	Absent.
Atlee.	Beall.
	Excused.
Burns.	Ross.
Greer.	Turney.
Linn of Victoria.	

Senator Darwin moved to table the resolution as amended.

Tabled by the following vote:

	Yeas—14.
Bailey.	Neal.
Boren.	Ross.
Colquitt.	Stone.
Darwin.	Terrell.
Gough.	Tillett.
Kerr.	Woods.
Lewis.	Yantis.
	Nays—11
Bowser.	Presler.
Dibrell.	Rogers.
Goss.	Stafford.
Harrison.	Turney.
Linn of Wharton.	Yett.
Morriss.	

	Absent.
Atlee.	Wayland.
Beall.	

	Excused.
Burns.	Linn of Victoria.
Greer.	

Senator Woods moved to reconsider the vote by which the resolution was tabled, and to lay that motion on the table.

Carried.

On motion of Senator Boren, the Senate took a recess until 11:40 a. m.

AFTER RECESS.

President pro tem. Dibrell in the chair.

The Chair announced that the hour of 12 m. having arrived, the Senate would proceed to the hall of the House of Representatives for the purpose hereinbefore mentioned.

IN JOINT SESSION.

At 12 o'clock m., the honorable Senate of Texas was announced at the bar of the House for the purpose of joining the House in the inaugural ceremonies.

Escorted by Sergeant-at-Arms C. H. Allen and Secretary Will Lambert, the Senators, on invitation of the Speaker, advanced into the hall and were seated along the aisle in chairs prepared for them.

Hon. J. B. Dibrell, President pro tem., was invited to a seat on the right of the Speaker.

The President pro tem. directed the

Secretary to call the roll of the Senate, and the following Senators answered to their names:

Hon. Geo. T. Jester, President; Bailey, Boren, Bowser, Colquitt, Darwin, Dibrell, Goss, Gough, Harrison, Kerr, Lewis, Lynn, Morriss, Neal, Presler, Rogers, Ross, Stafford, Stone, Terrell, Tillett, Turney, Wayland, Woods, Yantis, Yett.

The President pro tem. announced a quorum present.

The Speaker then directed the Clerk to call the roll of the House, and the following members answered to their names:

Hon. L. T. Dashiell, Speaker; Alexander, Ayers, Bailey, Barbee, Barrett, Beaird, Bean, Bell, Bennett, Benson, Bertram, Bird, Blackburn, Blair, Bounds, Boyd, Brewster, Browne, Bumpass, Burney, Burns, Callan, Carpenter, Carswell, Childs, Conoly, Crawford, Crowley, Cureton, Curry, Dean, Dennis, Dickinson, Dies, Dorroh, Doyle, Drew, Edwards, Evans of Hunt, Evans of Grayson, Ewing, Feild, Fields, Fisher, Flint, Freeman, Garrison, Gimbough, Good, Graham, Green, Harris, Henderson, Hensley, Hill of Gonzales, Hill of Travis, Holland of Burnet, Holland of Harris, Humphrey, Jones, Kimbell, Kirk, Lillard, Logan, Lotto, Love, Manson, Martin, Maxwell, McFarland, McGaughey, McKamy, McKellar, Meade, Melton, Mercer, Moore of Fort Bend, Moore of Lamar, Morris, Morton, Mundine, Neighbors, O'Connor, Oliver, Patterson, Peery, Pfeuffer, Pitts, Porter, Randolph, Reubell, Rhea, Robbins, Rogan, Savage, Schlick, Seabury, Shelburne, Shropshire, Skillern, Sluder, Smith, Smyth, Stamper, Staples, Stokes, Strother, Thaxton, Thomas, Thompson, Tucker, Turner, Vaughan of Guadalupe, Vaughan of Collin, Wall, Wallace, Ward, Welch, Wilcox, Williams, Wolters, Wood.

The Speaker announced a quorum present.

The Speaker then announced that the two Houses were in joint session for the purpose of inaugurating the Governor and Lieutenant Governor elect.

Prayer by Rev. F. S. Jackson, chaplain of the Senate.

The Speaker directed the Clerk to read from the House Journal of January 15 the following report of the joint committee to arrange for counting the vote for Governor and Lieutenant Governor and to arrange for the inaugural ceremonies of the same:

Austin, Tex., Jan. 15, 1897.

Hon. George T. Jester, President of the Senate, and Hon. L. T. Dashiell, Speaker of the House of Representatives:

Your joint committee, appointed to make arrangements to count the vote and to arrange to inaugurate the Governor and Lieutenant-Governor, beg leave to recommend that the House and Senate meet in joint session in the hall of the House of Representatives on Monday, the 18th instant, at 10.30 o'clock a. m., for the purpose of counting said vote, and that the House and Senate meet in joint session in the hall of the House of Representatives on Tuesday, the 19th instant, at 12 o'clock, noon, when the joint committee will escort the Governor and Lieutenant-Governor-elect to the Speaker's stand, when the oath of office will be administered by the Chief Justice of the Supreme Court.

Respectfully submitted,
On the part of the Senate,
TURNEY, Chairman,
ROSS,
BURNS.

On the part of the House,
NEIGHBORS, Chairman,
MEADE,
WARD.

The joint committee on inaugural ceremonies were announced at the bar of the House, accompanied by Governor-elect Charles A. Culberson, Lieutenant-Governor-elect George T. Jester, Chief Justice R. R. Gaines, Associate Justices T. J. Brown and L. G. Denman, and Clerk of the Supreme Court, Charles S. Morse, together with Attorney-General M. M. Crane, Land Commissioner A. J. Baker, Ex-Governor James S. Hogg, Railroad Commissioners John H. Reagan and L. J. Storey, Comptroller R. W. Finley, and Commissioner of Agriculture A. J. Rose.

At two raps of the Speaker's gavel the joint session rose as they came in, and they were invited to the Speaker's stand, where were seated on the rostrum with Speaker Dashiell and President pro tem. Dibrell, Hons. M. M. Crane, A. J. Baker, Jas. S. Hogg, John H. Reagan, L. J. Storey, R. R. Gaines, L. G. Denman, and the Governor and Lieutenant Governor-elect.

The Speaker directed Associate Justice T. J. Brown to administer the oath of office to Governor-elect Chas. A. Culberson, which was done, Associate Justice Brown holding the Holy Bible in his right hand, and the Governor-

elect touching the same with his, and at the conclusion of which the Governor-elect kissed the Bible.

The Governor-elect then affixed his signature to the official oath, Clerk Chas. S. Morse, of the Supreme Court, attesting the same with the seal of the commonwealth of Texas.

The Speaker then introduced Chas. A. Culberson to the joint session of the two houses and to the vast assemblage present as Governor of the State of Texas, who addressed the people as follows:

Gentlemen of the Senate and House of Representatives.

Called the second time under extraordinary conditions to the highest office in the State, I am deeply sensible of the confidence of the people and the responsibilities of this great trust. The campaign through which we have just passed was the most virulent and vindictive in our history. Though lacking nothing in organization and equipment which irresponsible and unscrupulous wealth could command, falsehood and calumny were the chief reliance of the opposition. To have passed uninjured in character through that storm of malice and hate and political depravity and received decisive expression of the faith of a great people, is to me unpurchaseable and priceless. Proud of their loyalty and friendship, my deep sense of appreciation will be shown in a consecration to their service during my term of office and an unfading remembrance of their kindness. But above personal indorsement and vindication is the distinctive triumph here of the great party to which most of us belong, and the assurance of good government for the State. Whether the one shall be enduring and the other perpetuated through that agency may be influenced by your deliberations. Broadly speaking, what is demanded to further these results is that we act uprightly with the people. Not a single promise of legislation which we have made should go unredeemed, and no substantial public interest be disregarded. In a still larger and nobler sense, the ambition of all should be the advancement and the grandeur of Texas. Glorious in her infancy, rich in later memories, splendid in present achievement, and limitless in promise and in future, she offers exhaustless material for the betterment of mankind and the building of a mighty commonwealth. That you will be mindful of these considerations and act well your part is not doubted, and my duties are as-

sumed with the single purpose of co-operating with you in whatever may contribute to the prosperity and happiness of the people and the glory of the State.

President pro tem. Dibrell then directed Associate Justice of the Supreme Court T. J. Brown to administer the oath of office to Lieutenant Governor-elect George T. Jester, who came forward, and the same ceremonies were had as in the case of the Governor.

President pro tem. Dibrell then introduced George T. Jester to the joint session and the vast assemblage present as the Lieutenant Governor of Texas, who spoke to the people as follows:

Gentlemen of the Senate and House of Representatives:

Standing as a public servant in this solemn presence, and pledging fealty and adherence to the Constitution and laws of my people, I am profoundly sensible of the grave responsibilities it implies.

Deeply grateful to a generous people for renewed manifestations of their trust and confidence, I am not unmindful of the duty imposed to bear evidence that such trust and such confidence are not misplaced.

It were well if occasions of this kind serve to impress upon the mind of the public official that he is but a public servant, governing, it is true, but by the consent and sufferance of the governed.

Let him be further reminded that allegiance and loyalty to his party and its pledges, and yet not forgetful of his capacity as representative of all the people, are fortunate attributes of a good legislator; and I feel this morning that if such thoughts are in us and about, our legislative careers will not be unattended by at least some measure of good to our countrymen.

We are peculiarly fortunate in that we are to legislate for a commonwealth into whose lap it would seem nature has poured to overflowing her richest treasures; a commonwealth secured to liberty and her children by the blood of martyred heroes; and a commonwealth to whose service has uniformly been consecrated wise and patriotic statesmanship.

Therefore, succeeding to this glorious heritage, our acts should be those born of wisdom and of public virtue. For, aside from its natural environments, the prosperity and material welfare of a commonwealth are no

little dependent upon and attributable to the enactments of its legislators.

And in this connection, I may be permitted to observe that while laws for the protection of the people against the unwarranted usurpation of aggregated capital can not fail to enlist the endorsement of patriotic statesmanship, we should not be blinded to the potent and far-reaching influences for good of capital properly applied and regulated. For both labor and capital are component parts of our industrial system; they are the complements of each other; they are the handmaids of all material progress.

Possessing manifold and diversified resources, which need but development to convert them into veritable mines of wealth and prosperity, I can not but feel that all laws which tend toward the conservation of this end are conceived for the best interests of our whole people.

At the conclusion of the Lieutenant Governor's address, the Speaker announced that the business of the joint session was concluded, whereupon,

On motion of Senator Lewis, the Senate retired to its chamber.

IN SENATE.

Roll called.

Quorum present, the following Senators answering to their names:

Bailey.	Neal.
Boren.	Presler.
Bowser.	Rogers.
Colquitt.	Ross.
Darwin.	Stafford.
Dibrell.	Stone.
Goss.	Terrell.
Gough.	Tillett.
Harrison.	Turney.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Wharton.	Yantis.
Morriss.	Yett.

Absent.

Atlee. Beall.

Excused.

Burns. Linn of Victoria.
Greer.

By Senator Woods, the following resolution:

Whereas, ninety years ago to-day there was born in the grand old commonwealth of Virginia, a child whose career was destined to bear an immortal impress upon the history of this country, and whose name has passed into history as one of the best and greatest men ever produced by America; and

Whereas, it is but proper and becom-

ing that the people of the South should show their respect and veneration for the name of Robert Edmund Lee whenever the opportunity presents itself; therefore, be it

Resolved, that when the Senate adjourns, it do adjourn for the day in commemoration of the natal day of General Robert Edmund Lee.

On motion of Senator Morris,

The resolution was unanimously adopted by a rising vote.

On motion of Senator Turney,

The Senate adjourned until 10 a. m. to-morrow.

SEVENTH DAY.

Senate Chamber,

Austin, Tex., Wednesday, Jan. 20.

Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Bailey.	Neal.
Boren.	Presler.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Stone.
Dibrell.	Terrell.
Goss.	Tillett.
Gough.	Turney.
Harrison.	Wayland.
Kerr.	Woods.
Lewis.	Yantis.
Linn of Wharton.	Yett.
Morriss.	

Absent.

Atlee. Beall.

Excused.

Greer. Linn of Victoria.

Prayer by the Chaplain, Rev. F. S. Jackson.

Pending the reading of the Journal of yesterday,

On motion of Senator Tillett, the same was dispensed with.

COMMITTEE REPORTS.

Committee Room,

Austin, Jan. 19, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 6, a bill to be entitled "An act to prescribe the time when suits for personal injuries and for injuries resulting in death shall be

instituted, and to fix the period of limitation in such actions."

Have had the same under consideration, and I am intructed to report the same back to the Senate with the recommendation that it do pass.

LEWIS, Chairman.

Committee Room,

Austin, Jan. 19, 1897.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 8, a bill to be entitled "An act to amend article 2526 of the Revised Civil Statutes of Texas, relating to juries in cases of forcible entry and detainer,"

Have had the same under consideration, and I am intructed to report the same back to the Senate with the recommendation that it do pass.

LEWIS, Chairman.

Committee Room,

Austin, Jan. 19, 1897.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 14, a bill to be entitled "An act to amend articles 4978, 4983, 4986, 4987, 4990, 4991, 4992, 4993, and 4996 of title CII, chapter 5, Revised Civil Statutes of Texas,"

Have had the same under consideration, and I am intructed to report the same back to the Senate with the following amendments:

First. By adding to caption, "Relating to the preventing of the running at large of certain animals in counties and subdivisions thereof."

Second. By inserting in article 4992, after "stock," in line 5: "Provided, that no person shall be permitted to impound stock of any character when a partial stock law prevails, unless such stock have entered upon the enclosed lands or be found running about the residence, lots or cultivated land of another."

And thus amended, recommend that it do pass.

LEWIS, Chairman.

BILLS AND RESOLUTIONS.

By Senator Gough:

Senate bill No. 53, a bill to be entitled "An act to appropriate \$6000 for the relief of the inmates of the Buckner Orphans' Home of Dallas, Texas."

Read first time and referred to Committee on Finance.